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10-11-98

IN THE HIGH COURT OF KARNATAKA AT BANGALORE  
DATED THIS THE 18TH DAY OF JUNE 1998  
BEFORE  
THE HON'BLE MR.JUSTICE V.K.SINGHAL  
WRIT PETITION NO. 26442 OF 1996

BETWEEN:

V.B.Chittal,  
aged about 42 years,  
S/o Bikkanna,  
Harsha Bar & Restaurant,  
Kaikeni Road, Door No1357,  
Karwar, Uttara Kannada. ..Petitioner.

(By Sri Ashok Haranahalli, adv.)

AND:

1. State of Karnataka,  
by its Secretary,  
Finance Department,  
M.S.Building,  
Bangalore-1.
2. Excise Commissioner of  
Karnataka, Kittur Rani  
Chennamma Circle, Bangalore.
3. Deputy Commissioner of Excise,  
Karwar, North Kanara District. ..Respondents.

(By Smt.S.Sujatha, HCGP)

Writ Petition is filed under Articles 226 and 227 of the Constitution of India with an affidavit praying to quash vide Ann.A dt.31.7.96 etc.,

Writ Petition is coming on for Final Disposal this day, the Court made the following:

O R D E R

An appeal lies under the Karnataka Excise Act, against the order of the Deputy Commissioner of Excise, Karwar (Annexure-A). The various questions which have been raised are disputed questions of fact. The Petitioner may now file the appeal within four weeks from today. If the appeal is filed within the aforesaid period, the objection regarding limitation would not be raised.

Petition stands disposed of with the above observations.

Sd/-JUDGE.

HK

r.by, R.

192 c.by, Jaglava  
11/8/98

**COPY**  
Assistant Registrar  
High Court of Karnataka  
Bangalore-560 001

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